

### REMARKS

The specification has been amended to update cross-reference information. Claims 1-10 and 12-21 are currently pending. Reconsideration of this application in light of the above amendments and the following remarks is requested.

#### Rejections under 35 U.S.C. § 112

The claims have been amended as suggested by the examiner to fix typographical errors and antecedent basis problems.

#### Rejections under 35 U.S.C. § 102(e)

All of the pending claims stand rejected as being anticipated by the Lewis patent and the Kult patent. With respect to the claims as herein amended, this rejection is respectfully traversed.

Claim 1 requires an ICP that operates "to instruct the switch to redirect data traffic to the data network in response to one or more of the intercepted SS7 messages." In contrast, neither the Lewis patent nor the Kult patent disclose this feature. The Lewis patent describes an open architecture platform 402 that is connected to the trunks 404 and 406. The open architecture platform can receive both voice and data traffic. (19:54-55). "A data connection is established between calling party 102 and EO 104, then over a trunk 404 to open architecture platform 402, then over a connection 408 to ISP 112, and then over a connection 414 to server 412." (20:3-6). Since this is not the same as the claimed functionality, the Lewis patent does not anticipate claim 1.

The Kult patent describes an Intelligent Services Network (ISN) 108 with a plurality of programmable switches 110a-110n connected between the PSTN 106 and a plurality of switch controllers 112a-112n. (Fig. 1). There is voice trunk connectivity between the programmable switches 110 and the PSTN 106. (5:30-31). Therefore, since the calls are routed through the ISN 108, the Kult patent does not anticipate the claimed functionality.

Therefore, claim 1 is deemed to be in a condition for allowance. Furthermore, the remaining pending claims are further deemed to be in condition for allowance

Conclusion

The Examiner is invited to telephone the undersigned at the below listed telephone number, should he have any questions or comments regarding the response.

Respectfully submitted,



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